ORIGINAL

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
MARCUS A. MCDANIEL, State Bar No. 151357
marcus.mcdaniel@ogletreedeakins.com
LESLIE E. WALLIS, State Bar No. 128435
leslie.wallis@ogletreedeakins.com
633 West Fifth Street, 53rd Floor
Los Angeles, California 90071
Telephone: (213) 239-9800
Facsimile: (213) 239-9045

Attorneys for Plaintiff
HANLEY-WOOD, LLC

FILED
FEB 12 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HANLEY-WOOD, LLC, a Delaware limited liability company,

Plaintiff,

v.

The Ryness Company, a California corporation,

Defendant.

Case No. 08 CV 0186 DMS WMc

NOTICE OF FILING PROOF OF SERVICE UPON THE RYNESS COMPANY

5488575_1

TO THE PLAINTIFF AND ITS ATTORNEYS OF RECORD AND TO THE CLERK OF COURT:

PLEASE BE ADVISED that Defendant, The Ryness Company was served with a copy of a Summons in a Civil Action, Complaint and Civil Cover Sheet by substituted service at 1:04 p.m. on February 1, 2008. Attached hereto as Exhibit "A" are true and correct copies of the Proof of Service of Summons in Civil Action and Proof of Service by Mail. Pursuant to CivLR 4.1, attached hereto as Exhibit "B" is the original Summons in a Civil Action."

DATED: February 11, 2008

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

By: ______________________
Marcus A. McDaniel

Attorneys for Plaintiff
HANLEY-WOOD, LLC

EXHIBIT A

Attorney or Party without Attorney: MARCUS A. MCDANIEL, Bar #151357 OGLETREE, DEAKINS, NASH, SMOAK, ET AL. 633 WEST FIFTH STREET 53RD FLOOR LOS ANGELES, CA 90071 *Telephone No:* 213-239-9800 *FAX No:* 213-239-9045 *Attorney for:* Plaintiff	*Ref. No. or File No.:*	*For Court Use Only*
Insert name of Court, and Judicial District and Branch Court: U.S. DISTRICT COURT-SOUTHERN DISTRICT OF CALIFORNIA		
Plaintiff: HANLEY-WOOD, LLC, ETC. *Defendant:* THE RYNESS COMPANY, ETC.		

PROOF OF SERVICE SUMMS IN CIV. ACTION	*Hearing Date:*	*Time:*	*Dept/Div:*	*Case Number:* 08CV0186 DMS WMC

1. *At the time of service I was at least 18 years of age and not a party to this action.*

2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET.

3. a. *Party served:* THE RYNESS COMPANY, A CALIFORNIA CORPORATION
   b. *Person served:* ED MONCE, AGENT AUTHORIZED TO ACCEPT SERVICE. SERVED UNDER F.R.C.P. RULE 4.

4. *Address where the party was served:* 11622 EL CAMINO REAL
   SUITE 300
   SAN DIEGO, CA 92130

5. *I served the party:*
   b. **by substituted service.** On: Fri., Feb. 01, 2008 at: 1:04PM by leaving the copies with or in the presence of: CATHY JOHNSON, EMPLOYEE.
   (1) **(Business)** a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him or her of the general nature of the papers.
   (4) A declaration of mailing is attached.

7. ***Person Who Served Papers:***
   a. JONAS WILLIAMS

   First Legal Support Services SM
   ATTORNEY SERVICES
   1111 6TH AVENUE, SUITE 204
   San Diego, CA 92101
   (619) 231-9111, FAX (619) 231-1361

   Recoverable Cost Per CCP 1033.5(a)(4)(B)
   d. ***The Fee** for Service was:*
   e. I am: (3) registered California process server
   (i) Independent Contractor
   (ii) Registration No.: 4005
   (iii) County: San Diego

8. ***I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.***

Date:Tue, Feb. 05, 2008

(JONAS WILLIAMS)

4009766.mamc.111050

Attorney or Party without Attorney: MARCUS A. MCDANIEL, Bar #151357 OGLETREE, DEAKINS, NASH, SMOAK, ET AL. 633 WEST FIFTH STREET 53RD FLOOR LOS ANGELES, CA 90071 Telephone No: 213-239-9800 FAX No: 213-239-9045 Attorney for: Plaintiff	Ref. No or File No.:			For Court Use Only
Insert name of Court, and Judicial District and Branch Court: U.S. DISTRICT COURT-SOUTHERN DISTRICT OF CALIFORNIA				
Plaintiff: HANLEY-WOOD, LLC, ETC. Defendant: THE RYNESS COMPANY, ETC.				
PROOF OF SERVICE By Mail	Hearing Date:	Time:	Dept/Div:	Case Number: 08CV0186 DMS WMC

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occured.

2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET.

3. By placing a true copy of each document in the United States mail, in a sealed envelope by **First Class** mail with postage prepaid as follows:

   a. Date of Mailing: Tue., Feb. 05, 2008
   b. Place of Mailing: LOS ANGELES, CA 90026
   c. Addressed as follows: THE RYNESS COMPANY, A CALIFORNIA CORPORATION
   11622 EL CAMINO REAL
   SUITE 300
   SAN DIEGO, CA 92130

4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Tue., Feb. 05, 2008 in the ordinary course of business.

5. *Person Serving:*
   a. Thomas Tilcock
   b. FIRST LEGAL SUPPORT SERVICES
   1511 W. BEVERLY BLVD
   LOS ANGELES, CA 90026
   c. 213-250-9111

   Recoverable Cost Per CCP 1033.5(a)(4)(B)
   d. ***The Fee** for Service was:*
   e. I am: Not a Registered California Process Server

8. ***I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.***

Date:Tue, Feb. 05, 2008

(Thomas Tilcock)

Summons in a Civil Action (Rev 11/97)

United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

ORIGINAL

FAXED

Hanley-Wood, LLC, a Delaware limited liability company

vs

The Ryness Company, a California corporation

SUMMONS IN A CIVIL ACTION
Case No.

'08 CV 0186 DMS WMc

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Marcus A. McDaniel, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
633 West Fifth Street
Suite 5300
Los Angeles, California 90071

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.
CLERK

JAN 3 0 2008
DATE

By , Deputy Clerk

Summons in a Civil Action

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

AO-440S

PROOF OF SERVICE BY UNITED STATES MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 years and not a party to this action. My business address is 633 West Fifth Street, 53rd Floor, Los Angeles, California 90071.

On February 11, 2008, I served a true copy of the following document(s) described as:

NOTICE OF FILING PROOF OF SERVICE UPON THE RYNESS COMPANY

on the persons below as follows:

Ed Monce The Ryness Company 11622 El Camino Real #300 San Diego, California 92130	Authorized Agent for Service of Process

I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses as indicated above and:

☐ deposited the sealed envelope or package with the United States Postal Service, with the postage fully prepaid.*

☒ placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United State Postal Service, in a sealed envelope or package with postage fully prepaid.

I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on February 11, 2008, at Los Angeles, California.

Elizabeth Mendoza	*[signature]*
Type Name	Signature

* (SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX OR BAG)